

STAFF REPORT

DATE: January 30, 2019

TO: Board of Adjustment

FROM: Zoning Administration
Planning & Development
Services Department

ACTIVITY NO. T18SA00554

**C10-19-03 SLONE RESIDENCE / DETACHED GARAGE CONVERSION TO
LIVING AREA AND BUILD GARAGE / JAMES AND NORMA
SLONE / 2200 EAST ADAMS STREET, R-1**

The applicant's property is an approximately 7,382 square foot lot zoned R-1 "Residential" and is developed with a single-family residence, with detached garage. The applicants are seeking the necessary zoning approval to convert the garage into living area and build a new garage with storage attached to the converted living area, all as shown on the submitted plans.

THE APPLICANT'S REQUEST TO THE BOARD

The applicant is requesting the following variances:

- 1) Allow a reduced side yard perimeter setback to remain for the conversion of the garage to living area, as measured at approximately 2'6" from the east property line;
- 2) Allow a reduced side yard perimeter setback for the construction of a new garage/storage areas, as measured at approximately 2' from the south property line;
- 3) Allow a reduced street perimeter yard setback for construction of a new garage/storage areas, as measured at approximately 1'2" from the west lot line along Plumer Avenue; and
- 4) Allow the overall gross floor area of the garage/storage/converted living area, as a detached accessory structure, to exceed 50% of the gross floor area of the residence, all as shown on the submitted plans.

APPLICABLE TUCSON ZONING CODE SECTIONS

The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to:

Section 4.7.8 and Table 4.8-2 which provides criteria for residential development in the R-1 zone; and

Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide dimensional standards applicable to all principal and accessory structures in the R-1 residential zone.

GENERAL DEVELOPMENT INFORMATION

Zoning and Land Use

SITE: ZONED R-1; (single-family residential)

North: Zoned R-1; (single-family residential)

South: Zoned R-1; (single-family residential)

East: Zoned R-1; (single-family residential, across Tucson Boulevard)

West: Zoned R-1; (single-family residential)

RELATED PLAN REVIEWS

Engineering Review

The Engineering Division of Planning & Development Services had no comments, as the property is located outside of the floodplain.

State Historic Preservation Office

The home is individually listed on the National Register of Historic Places. The State Historic Preservation office has provided written advisement dated November 29, 2018, that new construction regarding the detached garage structure will not affect the home's historic listing.

BOARD OF ADJUSTMENT FINDINGS

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC.
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

ZONING ADMINISTRATION CONSIDERATIONS

The applicant's property is an approximately 7,382 square foot lot zoned R-1 "Residential" and is developed with an 1,817 square foot single-family residence, with detached garage at 567 square feet. The applicants are seeking the necessary zoning approval to convert the garage into living area, and build a new garage with storage, attached to the converted living area for an overall detached structure at approximately 1200 square feet area. The construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable for the conversion of the existing garage to a living space, and construction of the new garage with storage attached to the converted living area.

Detached Accessory Structure Exceeding 50% of the Square Footage of the Residence & Reduced Perimeter Yard Setbacks

Per *UDC* Section 6.6.3, detached accessory structures shall not exceed 50% of the gross floor area of the principal structure (residence). The applicant proposes to convert a garage into living area and build a new garage with storage attached to the converted living area. The applicant is requesting a variance to allow the overall detached structure to exceed 50% of the gross floor area of the residence.

Per *UDC* Section 4.7.7 and Table 6.3.1.A., the required minimum setback is 10 feet for a structure off a perimeter side street. The applicant is requesting a variance to allow a reduced setback from 10' to 1'2" for the proposed garage, as measured from the west property line along Plumer Avenue.

In addition, the applicant is requesting variances to reduce both east and south perimeter yard lot line setbacks for the detached garage/converted living structure. The minimum building setback from both east and south lot lines to the building elevations, is the greater of 6' or 2/3 the height of the exterior building wall. The applicant is requesting a reduction to 2' as measured from the south property line to the south elevation of the new garage/storage areas, and a reduction to 2'6" as measured from the east property line to existing east elevation of the garage to be converted to a livable space.

Discussion

The property is located in the Blenman-Elm National Listed Historic District. The parcel is located at the southeast corner of Adams Street and Plumer Avenue. The lot is constructed with an approximately 1,817 square foot, single story home with a nearly 570 square foot detached garage, per submitted plans. The residence was built circa 1929, oriented on the north side of the lot, along Adams Street, which has no driveway access.

The detached garage is located 40' south of the home, on the south side of the property, off Plumer Avenue, at the only driveway access point to the lot. The new garage area is proposed closer to the Plumer (west) lot line, and to connect to the former garage structure.

Given existing conditions such as orientation of the site structures, location of the only driveway, and the listing of the home on the National Historic Register of Places, any proposed additions to the residence and connections from the detached structure to the residence would be impractical.

Conclusion

Given there are special circumstances such as the orientation of the residence to the north side of the lot, the existing driveway access from Plumer Avenue, and utilizing a portion of the existing detached garage for the conversion proposal is not out of character with other properties and would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, staff recommends approval to the requested variances.

NEIGHBORHOOD CONTACT (BY APPLICANT)

See the attached neighborhood notification dated December 10 and 24, 2018, and the summary of the onsite meeting dated December 21, 2018.

PLANNING & DEVELOPMENT SERVICES RECOMMENDATION

PDSD recommends approval of the applicant's requested variances subject to the following condition:

- A. No parking in the area between the garage and street.

It is the opinion of staff that there are special circumstances applicable to the property; and that granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Heather Thrall, Lead Planner
for
Russlyn Wells, Acting Zoning Administrator

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